

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72359 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- SARAI District- Vaishali

Bablu Ray @ Balu Ray Son of Late Rajendra Ray Resident of Village -
Majhauri Mohammadpur , Mansurpur, P.s.- Sarai, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Senior Advocate

Ms. Priyanka Singh, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-07-2022 Heard Mr. Yogesh Chandra Verma, learned Senior
Counsel assisted by Ms. Priyanka Singh, for the petitioner and
learned APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

Learned Senior Counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. It is further submitted that there is no recovery from the
conscious possession of the petitioner rather 85.005 litres of
foreign liquor and 48 litres of beer has been recovered from the
house. It is submitted that the house from where foreign liquor
and beer has been recovered is a joint family property. It is also
submitted that on the confessional statement of the apprehended



accused, the petitioner has been made accused in the present case. Similarly situated co-accused person has already been enlarged on bail anticipatory bail vide order dated 24.02.2022, passed in Cr. Misc. No.55407 of 2021.

Petitioner is agree to deposit a sum of Rs. 25,000/- (rupees twenty five thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur in connection with Sarai P.S. Case No.104/2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of the aforesaid



amount deposited in the Patna High Court Legal Services
Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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